



**DETERMINATION & FINDINGS  
FOR A SOLE SOURCE PROCUREMENT**

**CONTRACT #:** D.C. Office of the State Superintendent of Education (OSSE)

**CAPTION:** English Language Proficiency Assessment

**PROPOSED CONTRACTOR:** The Wisconsin Center for Education Research (WCER)

**PROGRAM AGENCY:** Office of the State Superintendent of Education (OSSE)

**FINDINGS**

**1. AUTHORIZATION:**

D.C. Official Code §2-354.04, 27 DCMR 1304, 1700 and 1701

**2. MINIMUM NEED:**

The Wisconsin Center for Education is the organizational home of the WIDA Consortium (WIDA), a multi-state coalition of state departments of education that acts in collaboration to research, design, implement a standards-based educational system that promotes equitable educational opportunities for English language learners in pre-kindergarten through grade twelve, and standards-based English Proficiency assessments for English language learners (ACCESS for ELLs). The WIDA English Language Proficiency Standards form the base of this system. The WIDA English Language Proficiency Standards include the four recognized domains of speaking, listening, reading, and writing, and are based on the academic language content of preK-12 students. OSSE joined the WIDA Consortium in 2005 and adopted the WIDA English Language Proficiency Standards. LEAs within the District of Columbia annually assess English Language Learners using ACCESS for ELLs.

**3. ESTIMATED REASONABLE PRICE:**

The fair and reasonable price is estimated at \$149,500.00

**4. FACTS WHICH JUSTIFY SOLE SOURCE PROCUREMENT:**

The WIDA Consortium is the sole supplier of the WIDA English Language proficiency Standards, ACCESS for ELLs, English language proficiency assessment. Title I of the Federal Elementary and Secondary Education Act (The No Child Left behind Act of 2001 or NCLB) require local educational agencies (LEAs) to provide an annual assessment of English proficiency for all students with limited English proficiency in schools served by the State educational agency (SEA).



Title III of NCLB require LEAs to provide an evaluation to its SEA, which is used by the LEAs and SEA to: improve programs and activities; determine the effectiveness of programs and activities in assisting children who are limited English proficient to attain English proficiency (using State-approved evaluation measures) and meet challenging State academic content and student academic achievement standards; and determine whether or not to continue funding for specific programs or activities.

The Wisconsin Center for Education Research (WCER) one of the nineteen consortium, on behalf of WIDA, that are designed to assess the progress of children in attaining English proficiency, including a child's level of comprehension in the four recognized domains of speaking, listening, reading, and writing, and that are aligned with the WIDA English language proficiency standards. As part of these evaluation services WCER offers the English language test, Assessing Communication and Comprehension in English State to State for English Language Learners under the brand name ACCESS for ELLs.

OSSE along with 30 other states have determined that the approved the ACCESS for ELLs English will be their statewide assessment instrument for the mandated annual assessment of English language proficiency. All identified English language learners in these states are required to participate in the testing program. Language test as an evaluation measure available for OSSE's and District of Columbia's Leas' Title I and III requirements.

The only other possible option would be for OSSE to develop and implement the English language proficiency Assessment proficiency standards and to create an English language Proficiency Assessment to administer to students in the District of Columbia. This option will be extremely costly the District and time sensitive.

Therefore, the Contractor is the only source capable of meeting the District's minimum needs, and fulfilling the state mandatory requirements.

**5. CERTIFICATION BY AGENCY DIRECTOR:**

I hereby certify that the above findings are true, correct, and complete.

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Date

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Hosanna Mahaley  
State Superintendent

**6. CERTIFICATION BY CONTRACTING OFFICER:**

I have reviewed the above findings and certify that they are sufficient to justify the use of the sole source method of procurement under the cited authority. I certify that the notice of intent to award a sole source contract was published in accordance with 27 DCMR 1304 and that [no response was received] [the response received was rejected because \_\_\_\_\_]. I recommend that the Chief Procurement Officer approve the use of the sole source procurement method for this proposed contract.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contracting Officer

**DETERMINATION**

Based on the above findings and in accordance with the cited authority, I hereby determine that it is not feasible or practical to invoke the competitive solicitation process under either Section 402 or 403 of the District of Columbia Procurement Practices Reform Act of 2010 (D.C. Law 18-371; D.C. Official Code § 2-354.02 or 2-354.03). Accordingly, I determine that the District is justified in using the sole source method of procurement.

\_\_\_\_\_  
Date

\_\_\_\_\_  
James D. Staton, Jr.  
Chief Procurement Officer

